

STATE OF INDIANA)
COUNTY OF HENDRICKS) SS:

IN THE HENDRICKS SUPERIOR COURT

CAUSE NO. 32D03-0710-PL-42

STATE OF INDIANA,)
Plaintiff,)

v.)

DAILY BREW BUILDING SALES, LLC,)
doing business as)
BEAR CREEK COFFEE COMPANY,)
Defendant.)

2008 OCT 22 AM 11:07

FILED
CLERK OF HENDRICKS COUNTY

MOTION FOR SUMMARY JUDGMENT AGAINST THE DEFENDANT,
DAILY BREW BUILDING SALES, LLC, DOING BUSINESS AS
BEAR CREEK COFFEE COMPANY

The Plaintiff, State of Indiana, by Attorney General Steve Carter and Deputy Attorney General Amber Degenhart, respectfully moves the Court, pursuant to Rule 56 of the Indiana Rules of Trial Procedure, for Summary Judgment against the Defendant, Daily Brew Building Sales, LLC, doing business as Bear Creek Coffee Company. In support of its Motion, the Plaintiff states:

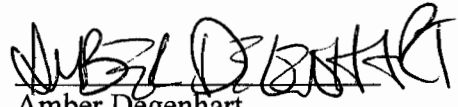
1. There are no genuine issues of material fact in dispute.
2. The Plaintiff is entitled to Summary Judgment as a matter of law.
3. The Plaintiff's Designation of Evidence and Memorandum in Support are filed herewith.

WHEREFORE, the Plaintiff respectfully requests the Court grant Summary Judgment for the Plaintiff against the Defendant and for all other just and proper relief.

Respectfully Submitted,


STEVE CARTER
Indiana Attorney General
Atty. No. 4150-64

By:


Amber Degenhart
Deputy Attorney General
Atty. No. 27079-49

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the above Motion for Summary Judgment was mailed by United States Mail, first class postage prepaid, to Mark O'Hara, 515 North Green Street Suite 200, Brownsburg, Indiana 46112, on this 20 day of October, 2008.


Amber Degenhart

Office of the Attorney General
Indiana Government Center South
302 West Washington, 5th Floor
Indianapolis, Indiana 46204
Telephone: (317) 234-2623

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